

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

JIM C. SNYDER
Plaintiff

3:05-CV-277-RRB

v.

MICHAEL J. ASTRUE
Commissioner, Social Security Administration
Defendant

**[REDACTED] ORDER AWARDING ATTORNEY'S FEES
42 U.S.C. § 406(b)**

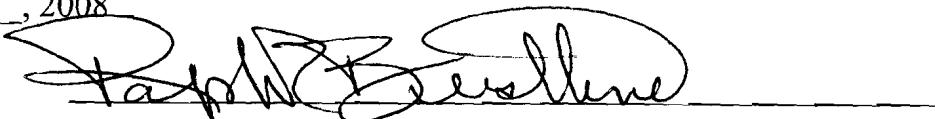
The Court has before it at docket 38 the motion for award of \$8,166.63 to Paul B. Eaglin as counsel for Plaintiff Jim C. Snyder. The motion is unopposed by the Commissioner as indicated by his filing at docket 39. Moreover, the Commissioner indicates that he has verified the amount that is subject to award, and confirms the dollar amount requested by the motion at docket 38.

As the parties have noted in motion practice, this Court awarded \$2425 as EAJA fees at docket 34. Moreover, a fee award pursuant to 42 U.S.C. § 406(a) of \$ 5,300. was awarded by the agency and is not before this Court except to the extent of limiting the total award to no more than one-fourth of past due benefits. As noted, the Commissioner has verified the amount subject to award: \$8,166.63.

Based on the action of the parties as indicated in this motion practice, this Court concludes that the fee award requested is reasonable and should be granted; **It is therefore ORDERED** as follows with respect to the motion for award of fees pursuant to 42 U.S.C. § 406(b):

1. this Court awards to Paul B. Eaglin attorney's fees pursuant to 42 U.S.C. § 406(b) in the amount of \$ 8,166.63,
2. the Eaglin Law Office, upon receipt of payment of the § 406(b) fees, shall refund to Jim C. Snyder the sum of \$ 2425. that was awarded and received as EAJA fees, and
3. Paul B. Eaglin shall report to this Court, with service to the parties, when he has carried out the refund as required in the paragraph above.

March 10, 2008



Ralph R. Beistline, United States District Judge

Presented by:

Paul B. Eaglin, Eaglin Law Office (draft author)

Stephanie Martz, SAUSA, Office of General Counsel, SSA, Seattle